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EXAMINER

WANG, LIANG CHE A

ART UNIT PAPER NUMBER

2155

DATE MAILED: 12/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1. Claims 1-90 are pending.
2. Claims 31-90 are withdrawn on Response to Restriction Requirement filed on 11/13/2006.
3. Claims 1-30 are elected without traverse for examination.

Specification

4. The abstract of the disclosure is objected to because The Abstract is too long and not in a single paragraph. Correction is required. See MPEP § 608.01(b).
5. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to **a single paragraph** on a separate sheet within the range of 50 to 150 words. It is important that the abstract **not exceed 150 words** in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details. The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

6. The disclosure is objected to because of the following informalities: Page 7, line 13, discloses "240, 260, and 270 and data store 270", the phrase "and 270" should be removed. Appropriate correction is required.

17. Referring to claim 11, Edwards teaches a method of providing data to a user (subscriber/user) of a client computer (PC 4' corresponds to "a client computer"), comprising:

a client computer (PC 4' corresponds to "a client computer") connected to multiple data stores (caches of PC 4', PC 4" and server 26) and multiple other computers (PC 4" and server 26) (see figure 2 and Col 5 line 46 – Col 6 line 11),

one or more computer programs, performed by the client computer and multiple other computers, for receiving a request for data (the requested page corresponds to the "data") at the client computer (Col 5 lines 47-51, user is making a request at a PC for a page from the Internet),

forwarding the request from the client computer to a server computer (Col 5 lines 47-53, user makes a request for a page from the Internet; the request is transmitted over the network),

intercepting the request at a reverse proxy caching connection (Col 5 lines 51-53, server 26 corresponds to "a reverse proxy caching connection", and server 26 intercepts this request), and

attempting to locate the data at a data store (cache 28) at the reverse proxy caching connection (Col 5 lines 51-53, server 26 determines whether the requested data is stored in cache 28; Col 5 line 66-Col 6 line 1, if the requested page is not stored in the cache, the server 26 interrogates the Internet to retrieve the requested page).

18. Referring to claim 12, Edwards teaches the apparatus of claim 11, further comprising:

23. Referring to claim 21, Edwards teaches an article of manufacture comprising a computer program carrier readable by a computer and embodying one or more instructions executable by the computer to perform method steps for providing data to a user (subscriber/user) of a client computer (PC 4' corresponds to "a client computer") connected to multiple data stores (caches of PC 4', PC 4" and server 26) and multiple other computers (PC 4" and server 26)(see figure 2 and Col 5 line 46 – Col 6 line 11), comprising:

receiving a request for data (the requested page corresponds to the "data") at the client computer (Col 5 lines 47-51, user is making a request at a PC for a page from the Internet);

forwarding the request from the client computer to a server computer (Col 5 lines 47-53, user makes a request for a page from the Internet; the request is transmitted over the network);

intercepting the request at a reverse proxy caching connection (Col 5 lines 51-53, server 26 corresponds to "a reverse proxy caching connection", and server 26 intercepts this request); and

attempting to locate the data at a data store (cache 28) at the reverse proxy caching connection (Col 5 lines 51-53, server 26 determines whether the requested data is stored in cache 28; Col 5 line 66-Col 6 line 1, if the requested page is not stored in the cache, the server 26 interrogates the Internet to retrieve the requested page).

24. Referring to claim 22, Edwards teaches the article of manufacture of claim 21, further comprising:

determining that the data is not in the data store at the reverse proxy caching connection (Col 5 lines 51-53, server 26 determines whether the requested data is stored in cache 28); and

attempting to retrieve the data from the server computer (Col 5 line 66-Col 6 line 1, if the requested page is not stored in the cache, the server 26 interrogates the Internet to retrieve the requested page).

25. Referring to claim 23, Edwards teaches the article of manufacture of claim 22, further comprising:

at the reverse proxy caching connection, receiving data from the server computer (Col 5 line 66 – Col 6 line 1, reverse proxy caching connection 26 retrieves the requested page from the Internet);

storing a copy of data in the data store at the reverse proxy caching connection (Col 6 lines 1-11, reverse proxy caching connection 26 downloads the retrieved requested page);

forwarding the data to the client computer (Col 6 lines 7-11, the requested page is downloaded on to client computer 4).

26. Referring to claim 24, Edwards teaches the article of manufacture of claim 21, further comprising, prior to forwarding the request, attempting to locate the data at a data store (cache 24) at the client computer (Col 2 lines 24-30, if the requested page is stored at cache 24 in the PC's hard drive, the page would appear on client's screen immediately).
27. Referring to claim 25, Edwards teaches the article of manufacture of claim 24, wherein the data store is a cache (figure 2 item 28, Col 5 lines 15-26).

data from remote sources to a database, and Sass suggests a variety of communication means for the data transmission between database and sources of Edwards' system.

A person with ordinary skill in the art would have been motivated to make the modification to Edwards because having the data being updated by satellite would allow information to be much more effectively provided to the user as taught by Sass (Col 1 lines 65-67)

32. Referring to claim 9, 19, and 29, Edwards teaches an invention as described in claims 1, 11, and 21. Edwards teaches information data being retrieved from data networks (Col 3 lines 29-37).

Edwards does not teach wherein the data comprises one or more music files, and further comprising: receiving a playlist specifying music files; and while playing one of the music files that has already been retrieved, retrieving additional music files.

Sass teaches, wherein the data comprises one or more music files (Col 1 lines 14-21, Sass teaches a system for distributing audio information, audio files corresponds to "music files"), and further comprising: receiving a playlist specifying music files (Col 7 lines 17-19, the receiver receives a list of audio programs for user to select); and while playing one of the music files that has already been retrieved, retrieving additional music files (Col 13 lines 15-19, the receiver is programmed to simultaneously receive and play the audio content).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the audio data to be the data in Edwards' system because Edwards teaches a network system for distributing data (Edwards, Col 1 lines 6-

(see title of Edwards) and Bakshi suggests a local proxy to provide faster data retrieval (Col 8 lines 56-64).

A person with ordinary skill in the art would have been motivated to make the modification to allow to Edwards 's system to dynamically determine the communication capabilities of an entity as taught by Bakshi (Col 1 lines 59-63).

Conclusion

35. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).
36. Bakshi et al., US Patent Number, 6,345,300, teaches a firewall proxy and a network proxy lie between clients and content servers (figure 1).
37. Knauerhase, US Patent Number, 6,237,037, teaches system for dynamically controlling a proxy (see title).
38. Antur et al., US Patent Number, 6,243,815, teaches a method for managing firewalls and security devices.
39. Clark et al., US Patent Number 6,442,588, teaches a method for administering a dynamic filtering firewall.
40. El-Rafie, US Patent Number 6,968,394, teaches asymmetric satellite-based Internet service (see title).

Art Unit: 2155

41. Ramaswamy, US Patent Number 6,423,892, teaches while playing one of the music files that has already been retrieved, retrieving additional music files ((Col 4 lines 26-32).
42. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
43. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571)272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
44. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang
November 28, 2006

